

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Craig Gregory Smith, et al. Conf. No.: 9329
Serial No.: 10/508,398
Filed : September 20, 2004
Title : MANAGEMENT CONTROL OF PHARMACEUTICAL SUBSTANCES

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371 mailed April 19, 2005, Applicants as a small entity submit herewith the following:

- Payment of the surcharge of \$65 for late filing of the declaration;
- A check in the total amount of \$65 is attached;
- A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63 (2 pages);
- A copy of check no. 183446 in the amount of \$712 (1 page); and
- A copy of the Transmittal Letter Concerning Filing Under 35 U.S.C. 371 (2 pages).

Applicants submit that the filing fees and fees for additional claims and multiple dependent claims, a total of 23 claims, were submitted with the application on September 20,

05/16/2005 GFREY1 00000071 10508398

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65.00 OP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV471530585US

May 10, 2005

Date of Deposit

Applicant : Craig Gregory Sm... et al.
Serial No. : 10/508,398
Filed : September 20, 2004
Page : 2 of 2

Attorney's Do... No.: 18155-002US1 / 117961

2004. Enclosed is a copy of the application transmittal and check no. 183446. No additional fees are believed to be due.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,



Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
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10513437.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.																					
10/508,398	Craig Gregory Smith	18155-002US1																					
		INTERNATIONAL APPLICATION NO.																					
		PCT/AU04/00150																					
20985 FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081		<table border="1"> <tr> <td>DOCKETED BY PRACTICE SYSTEMS</td> <td>I.A. FILING DATE</td> <td>PRIORITY DATE</td> </tr> <tr> <td>ACTION CODE: <i>PCT MISSING REQ</i></td> <td>02/11/2004</td> <td>02/11/2003</td> </tr> <tr> <td>BASE DATE: <i>4/19/05</i></td> <td></td> <td></td> </tr> <tr> <td>DUE DATE: <i>4/19/05</i></td> <td></td> <td></td> </tr> <tr> <td>DEADLINE: <i>11/19/05</i></td> <td></td> <td></td> </tr> <tr> <td>INITIALS: <i>CGS</i></td> <td></td> <td></td> </tr> <tr> <td>RECORD:</td> <td></td> <td></td> </tr> </table>	DOCKETED BY PRACTICE SYSTEMS	I.A. FILING DATE	PRIORITY DATE	ACTION CODE: <i>PCT MISSING REQ</i>	02/11/2004	02/11/2003	BASE DATE: <i>4/19/05</i>			DUE DATE: <i>4/19/05</i>			DEADLINE: <i>11/19/05</i>			INITIALS: <i>CGS</i>			RECORD:		
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INITIALS: <i>CGS</i>																							
RECORD:																							
		CONFIRMATION NO. 9329 371 FORMALITIES LETTER OC000000015773279*																					

Date Mailed: 04/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/20/2004
- Copy of the International Search Report filed on 09/20/2004
- Preliminary Amendments filed on 09/20/2004
- Information Disclosure Statements filed on 09/20/2004
- Small Entity Statement filed on 09/20/2004
- U.S. Basic National Fees filed on 09/20/2004
- Priority Documents filed on 09/20/2004

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APR 22 2005

FISH & RICHARDSON, P.C.
SAN DIEGO

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$150 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$150 for a Small Entity:

Docketed By Billing Secretary	
Due Date:	<i>4/19/05</i>
Deadline:	<i>11/19/05</i>
Initials:	<i>JGS</i>

- Total additional claim fee(s) for this application is \$ 150

- \$150 for 9 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/508,398	PCT/AU04/00150	18155-002US1

FORM PCT/DO/EO/905 (371 Formalities Notice)

Rec'd PCT/PTO 10 MAY 2005

Attorney's Docket No. 18155-002US1	Express Mail Label No. EV398158922US	Mailing Date September 20, 2004
Application No. Not yet assigned	Filing Date September 20, 2004	Attorney/Secretary Init SCH/jhp

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Do Not Mark in This Area

Title of the Invention

MANAGEMENT CONTROL OF PHARMACEUTICAL
SUBSTANCES

Applicant

Craig Gregory Smith, et al.

Client Reference No.

117961

Enclosures

- Transmittal Letter (2 pages)
- Patent Application (12 pages of specification, 6 pages of claims, 23 total claims, 1 page of abstract)
- Check in the amount of \$712.00
- Drawings (formal, 2 sheets)
- Preliminary Amendment (12 pages)
- Information Disclosure Statement (2 pages)
- Form PTO-1449 (2 pages)
- Documents listed on the Form PTO-1449 (20 documents)
- Copy of International Search Report (4 pages)

FR

FR FISH & RICHARDSON P.C.

225 Franklin Street
Boston, Massachusetts
02110-2804

c 183446

PAY Seven hundred twelve dollars 00/100 DOLLARS

TO THE ORDER OF	DATE	AMOUNT
COMMISSIONER OF PATENTS AND TRADEMARKS	09/20/04	\$712.00

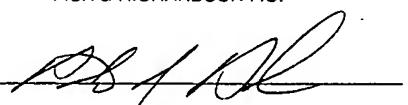
18155-002US1 jhp

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52-153/112



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South Portland, ME

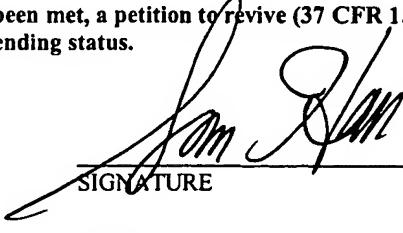
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183446 1011201539 80 071 123

Rec'd PCT/PTO 10 MAY 2005

SUBSTITUTE FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 18155-002US1
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/AU2004/000150	INTERNATIONAL FILING DATE 11 February 2004	PRIORITY DATE CLAIMED 11 February 2003
TITLE OF INVENTION MANAGEMENT CONTROL OF PHARMACEUTICAL SUBSTANCES		
APPLICANT(S) FOR DO/EO/US Craig Gregory Smith and Robert Richards		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Copy of International Search Report 		
CERTIFICATE OF MAILING BY EXPRESS MAIL Express Mail Label No. EV398158922US Date of Deposit: September 20, 2004		

PCT/AU2004/000150

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/AU2004/000150	ATTORNEY'S DOCKET NUMBER 18155-002US1		
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY		
Basic National Fee (37 CFR 1.492 (a) (1) - (5)):				
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1080				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$920				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$770				
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4). \$730				
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100				
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$1,080.00		
Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$0.00				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	23 - 20 =	3	x \$18	\$54.00
Independent Claims	2 - 3 =	0	x \$86	\$0.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$290	\$290.00
TOTAL OF ABOVE CALCULATIONS =		\$1,424.00		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.. The fees indicated above are reduced by 1/2.		\$712.00		
SUBTOTAL =		\$712.00		
Processing fee of \$130 for furnishing the English Translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))		\$0.00		
TOTAL NATIONAL FEE =		\$712.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$0.00		
TOTAL FEES ENCLOSED =		\$712.00		
		Amount to be refunded: \$		
		charged: \$		
a. <input checked="" type="checkbox"/>	A check in the amount of \$712.00 to cover the above fees is enclosed.			
b. <input type="checkbox"/>	Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO:				
 SIGNATURE				
PTO Customer No: 20985		NAME Scott C. Harris		
		REGISTRATION NUMBER 32,030		